

**Christopher J. Lewis, OSB #003079**  
Email clewis@schwabe.com  
**Devon Zastrow Newman, OSB #014627**  
Email dnewman@schwabe.com  
Schwabe, Williamson & Wyatt, P.C.  
Pacwest Center  
1211 SW 5th Ave., Suite 1600  
Portland, OR 97204  
Telephone 503.222.9981  
Fax 503.796.2900

*Attorneys for Plaintiffs McDavid  
Knee Guard, Inc. and Stirling  
Mouldings Limited*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

**MCDAVID KNEE GUARD, INC.,**  
an Illinois corporation, and  
**STIRLING MOULDINGS LIMITED,**  
an English corporation,

Plaintiffs,

v.

**NIKE USA, INC.,** an Oregon corporation,

Defendant.

CASE NO: \_\_\_\_\_

**PLAINTIFFS' MOTION TO COMPEL  
DANIEL KIM TO PRODUCE  
DOCUMENTS AND APPEAR FOR A  
DEPOSITION**

**Fed. R. Civ. P. 37, 45  
Oral Argument Requested**

**LOCAL RULE 7.1(a) CERTIFICATION STATEMENT**

Pursuant to Local Rule 7.1(a), counsel for plaintiffs McDavid Knee Guard, Inc.

("McDavid") and Stirling Mouldings Limited ("Stirling") certifies that counsel for plaintiffs has

conferred by telephone with Daniel Kim's counsel and no resolution was reached. The assistance of the Oregon Court is required.

**MOTION**

Plaintiffs move this Court for an Order requiring Daniel Kim, President and Owner of Finn Tech, Inc., an Oregon Corporation, Finn Tech Taiwan, located in Taiwan, Finn Tech Holdings, Limited, located in Hong Kong, and Finn Tech Co., Limited, a Korean corporation (collectively "Finn Tech"), to produce the documents in his custody, possession, or control, including documents in the custody, possession, or control of his business entities, and to appear for a deposition as requested in the subpoenas served upon him at his residence in Portland and upon him personally.

This motion is supported by the memorandum, Declaration of Devon Zastrow Newman and the exhibits submitted herewith.

Dated this 19th day of June, 2009.

Respectfully submitted,

Schwabe, Williamson & Wyatt, P.C.

By:

  
Christopher J. Lewis, OSB #003079  
Devon Zastrow Newman, OSB #014627  
SCHWABE, WILLIAMSON & WYATT  
1211 SW 5th Ave, Suite 1900  
Portland, OR 97204  
Telephone: 503-222-9981  
Facsimile: 503-796-2900

Karl R. Fink  
John F. Flannery  
Paul B. Henkelmann  
Fitch, Even, Tabin & Flannery  
120 South LaSalle Street, Suite 1600  
Chicago, Illinois 60603  
Telephone: 312-577-7000  
Facsimile: 312-577-7007

*Attorneys for Plaintiffs McDavid  
Knee Guard, Inc. and Stirling  
Mouldings Limited*

**CERTIFICATE OF SERVICE**

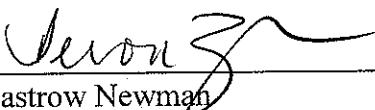
I hereby certify that on the 19th day of June, 2009, I served the foregoing PLAINTIFFS' MOTION TO COMPEL DANIEL KIM TO PRODUCE DOCUMENTS AND APPEAR FOR A DEPOSITION on the following persons:

Bub-Joo S. Lee  
bjslee@leeanavchung.com  
Stephanie S. Bang  
stephaniesbang@leeanavchung.com  
LEE ANAV CHUNG LLP  
555 West Fifth Street, 31st Floor  
Los Angeles, CA 90013

John M. McCormack  
john@khpatent.com  
Thomas J. Romano  
tromano@khpatent.com  
KOLISCH HARTWELL, P.C.  
520 SW Yamhill Street, Suite 200  
Portland, OR 97204

*Attorneys for Daniel Kim*

by email and first class mail.

  
\_\_\_\_\_  
Devon Zastrow Newman